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BAGHDAD FOR POL, NCT, PAO

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TAGS: [PGOV](#) [KDEM](#) [PHUM](#) [PINR](#) [IZ](#)

SUBJECT: (C) KAMAL QADR KARIM: CONVICTED FOR CRIMINAL LIBEL, PARDON  
AHEAD?

REF: (A) KIRKUK 22, (B) KIRKUK 7

CLASSIFIED BY: Scott Dean, Regional Coordinator (Acting), REO  
Kirkuk, Department of State.

REASON: 1.4 (b), (d)

11. (SBU) Media reports say a Kurdistan Regional Government-Erbil court convicted Austrian citizen and Kurdish political activist Kamal Qadr Karim on March 26 of criminal defamation and sentenced him to 18 months in jail. As reported reftels, on December 19 a court had sentenced him to 30 years for defaming public institutions (the Erbil Governorate and the KRG-E internal security organization, the Asayish). On January 19, the KRG-E Criminal Cassation Court overturned the conviction and returned the case to the investigative court to look into charges of criminal defamation (Article 433 of Iraqi Law 111 of 1969).

12. (C) The editor of the pro-PUK "Hewal" newspaper, Shwan Dawdi, (protect throughout) told RC(A) March 27 that the Article 433 charges were made at the request of the Erbil governorate (representing the people) and the KRG-E Ministry of Culture (concerned with publications). Dawdi said the lower court judge was a long-time security investigation judge who -- going back to Saddam's day -- knew how to conduct trials so they came out the way the prevailing political leaders wanted. Indeed, Dawdi said the judge had won promotion for his handling of the case, even though the Court of Cassation overturned his verdict.

13. (C) KRG-E officials have suggested KRG PM Barzani would pardon Qadr once the courts had acted (reftels). When RC(A) followed up March 27 with KRG-E minister Falah Bakir and asked to see PM Barzani March 29, Bakir predicted that the PM would have something to announce about this "political step" when we met. Qadr remains in custody.

14. (C) Dawdi too expected Qadr would win pardon. The editor said that, after having arrested, held and sentenced Qadr as a lesson to all journalists, the Barzanis would then take public credit for having pardoned him. COMMENT: We agree with Dawdi's analysis. END COMMENT.

15. (S) BIOGRAPHIC INFORMATION: Dawdi is a Kurdish nationalist who thinks civil war and partition are inevitable. We have also heard he is tied to PUK Asayish (not surprising given the close party supervision over the media in the Kurdistan Region). He does not appear to speak English more than courtesy phrases. KDP Interior Minister Karim Sinjari told the British Consul General recently that "Hewal" is linked to KRG-S PM Omar Fattah.

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